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Federal Communications Commission
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October 5, 2007

BY HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
c/o Natek, Inc., Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

Re: **Petition for Reconsideration of the *Seventh Report and Order*
on *Advanced Television Systems*, MB Docket No. 87-268
on behalf of Corridor Television, LLP, Licensee of KCWX,
Fredericksburg, Texas**

Dear Ms. Dortch:

Transmitted herewith on behalf of Corridor Television, LLP, licensee of television station KCWX, Fredericksburg, Texas, Facility ID 24316, are the original and four copies of a Petition for Reconsideration of the *Seventh Report and Order on Advanced Television Systems*, MB Docket No. 87-268.

Should additional information be necessary in connection with this matter, kindly communicate directly with the undersigned.

Respectfully submitted,



James A. Stenger

Encl.

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Before the
Federal Communications Commission
Washington, DC 20554

FILED/ACCEPTED
OCT - 5 2007
Federal Communications Commission
Office of the Secretary

In the Matter of

Advanced Television Systems
and Their Impact upon the
Existing Television Broadcast
Service

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MB Docket No. 87-268

To: The Commission

**Petition for Reconsideration
of the Seventh Report and Order
on behalf of Corridor Television LLP
Licensee of KCWX, Fredericksburg, Texas**

James A. Stenger
Thelen Reid Brown Raysman & Steiner LLP
701 Eighth Street, N.W.
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Its Counsel

Dated: October 5, 2007

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Exhibit 1 -- Engineering Statement of Cohen, Dippel And Everist, P.C.

Exhibit 2 - Letter from Corridor to the FCC filed October 2 , 2007

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Advanced Television Systems)	MB Docket No. 87-268
and Their Impact upon the)	
Existing Television Broadcast)	
Service)	

To: The Commission

**Petition for Reconsideration
of the Seventh Report and Order
of Corridor Television LLP
Licensee of KCWX, Fredericksburg, Texas**

Corridor Television LLP ("Corridor"), licensee of television station KCWX, analog Channel 2, Facility Id. 24316, Fredericksburg, Texas, through its undersigned counsel and pursuant to Section 1.106 of the Commission's Rules, hereby petitions for reconsideration of the *Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking In the Matter of Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service*, MB Docket No. 87-268, FCC 07-138, 42 CR 1, released Aug. 6, 2007 ("the *Seventh Report and Order*") with regard only to the denial of the request of Corridor for a change in its TCD to channel 8 and the denial of its waiver request in connection therewith, *Seventh Report and Order* at paras. 76 -78, and in support hereof respectfully shows as follows:

1. Corridor Requests Channel 8 With 15 kW Non-directional ERP At 413 Meters HAAT And A *De Minimus*, Temporary Waiver Of The 0.1 Percent Interference Standard.

In response to the decision of the Commission in the *Seventh Report and Order*, Corridor respectfully amends its request for a change in its TCD to channel 8 to indicate its willingness to accept channel 8 with 15 kW non-directional ERP at 413 meters HAAT.¹ Attached hereto as Exhibit 1 is an Engineering Statement of Cohen, Dippel and Everist PC that shows that assignment of Channel 8 to KCWX with the proposed facilities will cause only .44 percent interference to channel 7 and only 0.35 percent interference to channel 9. Corridor has confirmed its willingness to accept channel 8 with 15 kW non-directional ERP at 413 meters HAAT by letter to the Commission filed October 2, 2007, copy attached hereto as Exhibit 2.

Based upon its amended TCD change request, Corridor requests only a temporary, *de minimus* waiver of the 0.1 percent interference standard pending adoption of the proposed 0.5 percent DTV interference standard. Although Corridor requests a *de minimus*, temporary waiver of the 0.1 percent standard in order to enable Corridor to obtain a permit to construct and operate its DTV facility on Channel 8, Corridor further commits that such construction and operation would not occur until the DTV transition deadline. Therefore, at the time of commencement of operation of Channel 8, the 0.5 percent interference standard will be in effect and the *de minimus*, temporary waiver will be moot.

The *de minimus*, temporary waiver is requested to allow Corridor to obtain the processing and grant of its DTV construction permit application for Channel 8 and to order, deliver and construct the facility in time to turn it on by the deadline. However, operations will never occur under the existing 0.1 percent interference standard and adjacent channel stations will never

¹ Corridor respectfully reserves the right to modify the specified parameters in compliance with such rules as the Commission may adopt for distributed DTV transmission systems.

suffer any interference that is not provided for in the Rules. They will receive protection according to the 0.5 percent standard that will be in effect when the facility goes into operation on Channel 8 as of the DTV transition deadline.

KCWX is a singleton that is presently operating on analog channel 2. KCWX has a top-mounted antenna that will be replaced with a new DTV antenna in a hard cut as of the transition deadline. There will be no simultaneous operations on Channel 8 prior to the hard cut.

Although Corridor is requesting a *de minimus*, temporary waiver of the 0.1 percent standard in order to obtain the processing and grant of its permit application for channel 8, the Commission may in the alternative find that even a *de minimus*, temporary waiver is unnecessary. The requested assignment of Channel 8 to KCWX with 15 kW non-directional ERP at 413 meters HAAT will have *zero* impact on the adjacent channel stations under the Commission's DTV application processing standard. As the Corridor application for a construction permit on channel 8 will show less than 0.5 percent interference to the adjacent channel stations, the Commission will round-off the predicted interference to *zero* under the current DTV application processing rules and the requested facilities therefore would be found to involve less than 0.1 percent interference to the adjacent channel stations. Nevertheless, Corridor respectfully requests a *de minimus*, temporary waiver for purposes of receiving a TCD on channel 8 prior to the transition deadline.

To the extent deemed necessary, Corridor further requests that action on this reconsideration petition and waiver request be deferred until the Commission adopts the proposed 0.5 percent interference standard. The proposed standard has received near unanimous industry support and is expected to be adopted by the Commission in time for stations to submit

applications to construct DTV facilities based on that standard and complete construction of those facilities by the DTV construction deadline.

II. Reconsideration Of The Seventh Report And Order Is Justified In View Of The Change In Circumstances Presented Herein.

Corridor originally requested channel 8 as its TCD without restrictions.² The *Seventh Report and Order* denied the Corridor waiver request to operate on channel 8 without restrictions.³ The Commission reasoned that assignment of channel 8 without restrictions would not comply with the proposed 0.5 percent interference standard as operation without restrictions could cause more than 0.5 percent interference to adjacent channel 7.⁴ In response to the Commission's decision, Corridor now proposes to accept channel 8 with 15 kW non-directional ERP at 413 meters HAAT and Corridor demonstrates in the attached Engineering Statement that such facilities will cause less than 0.5 percent interference to the adjacent channel stations.⁵ Thus, a significant change in circumstances has occurred. The Commission respectfully is requested to reconsider its decision in light of this significant change in circumstances.

An additional change in circumstances has occurred in that the full record has now been developed in the *Third Periodic Review*.⁶ The Commission denied the Corridor waiver request in the *Seventh Report and Order* in part because the 0.5 percent standard was only a proposal.⁷ Now, however, the record is complete in the *Third Periodic Review*, the 0.5 percent standard has

² Corridor Comments and Waiver Request filed January 9, 2007. The Media Bureau declined to assign channel 8 to Corridor and instead assigned channel 5 as Corridor's second choice.

³ *Seventh Report and Order* at paras. 76 -78.

⁴ "...[T]he new interference caused to [adjacent channel 7], 0.79 percent, not only significantly exceeds the current 0.1 percent interference standard applied to channel substitution requests, it also exceeds even the proposed 0.5 percent standard." *Seventh Report and Order* at para. 78.

⁵ Engineering Statement attached hereto as Exhibit 1 at page 4. Specifically, the predicted interference to channel 7 is 0.44% and to channel 9 it is 0.35%.

⁶ *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, FCC 07-70 (May 18, 2007) ("Third Periodic Review").

⁷ "We note that the 0.5 percent standard is only a proposal and a different standard could be adopted." *Seventh Report and Order* at para. 78.

received near unanimous industry support and it is expected that the 0.5 interference percent standard will be adopted. Furthermore, the Commission has indicated that the Commission will issue a decision in the *Third Periodic Review* in time for stations to consider the new standard in planning their final DTV facilities. The completion of the record in the *Third Periodic Review* and the intended adoption of the 0.5 percent standard is a further change in circumstances that warrants reconsideration of the denial of the Corridor waiver request in the *Seventh Report and Order*.

An additional reason to allow Corridor to benefit from the adoption of the 0.5 percent interference standard is that Corridor is a singleton that was unable to participate in the earlier rounds of the TCD selection process when the 2.0 percent interference standard was in effect. The proposed operations on channel 8 with 15 kW non-directional ERP at 413 meters HAAT are well within the proposed 0.5 percent interference standard and are truly *de minimus* in relation to the original two percent standard.

III. The Third Periodic Review Stresses The Importance Of Rapid Transition To DTV Thereby Supporting The Application Of The Proposed New Interference Criteria To The Pending TCD Request Of Corridor.

The Commission states in the *Third Periodic Review* that the Commission decided to propose a post-transition interference standard of 0.5 percent now to enable stations to construct DTV facilities that will not simply meet the deadline but also be consistent with the rules that will be in effect after the deadline:

[I]t is our understanding that knowing what those post-transition interference standards will be in advance may enable stations to anticipate future equipment needs and allow them to minimize their capital expenditures by buying equipment that can be used both

now and in the future. Accordingly, we believe it is appropriate at this time to propose what those post-transition interference standards will be.⁸

Accordingly, on reconsideration the 0.5 percent interference criteria should be considered in evaluating Corridor's request to change the TCD of KCWX to Channel 8 with 15 kW non-directional ERP at 413 meters HAAT, rather than requiring Corridor to construct a DTV facility on Channel 5 now and then construct another facility on Channel 8 under the standards that will be in effect on February 18, 2009. The public interest will be served by enabling Corridor to focus its efforts and resources on construction and operation of a station that would be authorized under the proposed 0.5 percent interference criteria.

In the *Third Periodic Review* the Commission reasoned that the decision of Congress to set a hard date for the DTV transition requires the Commission to re-evaluate its rules and policies in order to better assist stations to meet the deadline of February 17, 2009:

In view of the statutory change from a soft to a hard transition deadline, the Commission's focus has moved beyond simply ensuring that stations are operating in digital. Our focus is now on overseeing broadcasters' construction of their final, post-transition channel with facilities that will reach viewers in their authorized service areas by the time they must cease broadcasting in analog.⁹

As a singleton with no DTV operations at this time, KCWX will need to apply for authority to construct a new DTV station on DTV TCD. This application cannot be filed until the Commission makes a final decision on the TCD for KCWX. Once this decision is made, KCWX must file its DTV permit application within 45 days in order to have the benefit of the expedited processing rule.¹⁰

The timeframe is short for KCWX to apply for its new DTV facility, obtain Commission authorization, order, obtain delivery of and install its new DTV equipment and commence DTV

⁸ *Id.* at para. 100.

⁹ *Id.* at para. 34.

¹⁰ *Id.* at para. 94.

operations by the February 17, 2009 DTV transition deadline. The tighter standard for extensions provides a strong incentive for stations to make every effort to meet the construction deadline.¹¹ As a result, KCWX is likely to spend considerable effort and resources to build its authorized DTV facility under the rigorous time constraint imposed by the short time remaining between now and February 17, 2009.

Of particular note is that the *proposed* 0.5 percent standard is based upon the *current* processing methodology for DTV applications. The *Third Periodic Review* notes that under the processing guidelines for DTV in effect since 1998, predicted interference of 0.5 percent or less is rounded to *zero*. Thus, the Commission explains:

Our proposed requirement that interference from a DTV application for post-transition use not exceed 0.5 percent is the same requirement as we have used during the transition for analog TV stations protecting DTV stations. It can be viewed as a “no new interference” criteria when the amount of predicted interference is rounded to the nearest whole percent (i.e., any determination of less than 0.5 percent interference would be considered to be 0 percent, while an interference determination greater than 0.5 percent would round up to 1.0 percent.)¹²

The Commission notes that this rounding methodology has been in effect for DTV since at least 1998 when the Media Bureau issued a Public Notice setting forth DTV processing guidelines.¹³

The DTV Application Processing Guidelines Public Notice states in the section on “Rounding and calculation tolerances” that:

Determinations of compliance with the rules will be based on the Commission’s implementation of the software, with the result rounded to the nearest tenth of a percent.¹⁴

Accordingly, the revised proposal of Corridor to change its TCD to channel 8 with 15 kW non-directional ERP at 413 meters HAAT would amount to *zero* interference under the existing

¹¹ *Id.* at para. 81.

¹² *Id.* at para. 106.

¹³ *Id.* at Notes 201 and 205 and accompanying text; “Additional Application Processing Guidelines for Digital Television (DTV),” 1998 WL 458391 at 8 (MB rel. Aug. 10, 1998) (“DTV Application Processing Guidelines PN”).

¹⁴ *Id.*

processing rules, as the attached Engineering Statement shows that the proposed facilities would cause less than 0.5 percent interference to channels 7 and 9.¹⁵

IV. The Grant Of The Corridor Request Will Serve The Public Interest.

The grant of the Corridor request for a TCD on channel 8 with 15 kW non-directional ERP at 413 meters HAAT will serve the public interest as it will remove KCWX from the lower VHF band and place KCWX in the upper VHF band. Corridor requested channel 8 in the third round but the Media Bureau determined that Corridor could not be assigned channel 8 and assigned Corridor its second choice, channel 5. However, channel 5 falls within the lower VHF band. As explained in the attached Engineering Statement, the Commission has recognized that the lower VHF band (DTV channels 2 through 6), while technically still part of the DTV core channels, are in fact less than suitable for DTV operation and are more suitable for recapture and use for other kinds of operations. KCWX originally was licensed on analog channel 2 and has a TCD on channel 5, neither of which is optimum under the Commission's expressed view of channels 2 through 6. Change of the KCWX TCD to channel 8 will cure this problem and open the lower DTV channels in this area for other uses. This will benefit the public and should be granted on reconsideration.

A UHF channel would not be appropriate for KCWX as the station is located in a rural area of Texas and cannot support the construction or operating costs of a UHF channel. The Commission recognized as much when after lengthy proceedings the Commission assigned VHF channel 2 to Fredericksburg, Texas. This lower band VHF channel was suitable for use in this area as an analog channel, but would be less than ideal as a DTV channel. Assignment of

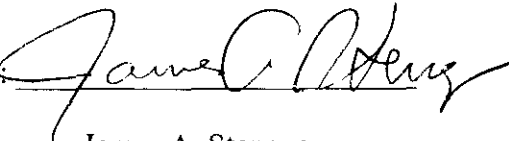
¹⁵ The Commission notes that rounding the interference calculation to the nearest percent is justified given the limitations on the accuracy of interference prediction models, "This level of rounding is more reflective of the accuracy of the interference prediction model than the 0.1 percent criterion." *Third Periodic Review* at para. 106.

V. Conclusion.

Wherefore, for the foregoing reasons, Corridor respectfully requests that the Commission reconsider the *Seventh Report and Order* only to the limited extent requested herein, change the TCD of KCWX, Fredericksburg, Texas to channel 8 with 15 kW non-directional ERP at 413 meters HAAT, and grant a temporary, *de minimus* waiver of the 0.1 percent interference standard pending adoption of the 0.5 percent standard or find that such waiver request is unnecessary under the current DTV application processing methodology.

Respectfully submitted,

Corridor Television LLP

By: 

James A. Stenger

Thelen Reid Brown Raysman & Steiner LLP
701 Eighth Street, N.W.
Washington, D.C. 20001
(202) 508-4308

Its Counsel

Dated: October 5, 2007

EXHIBIT 1

Engineering Statement of Cohen, Dippel and Everist, P.C.

ENGINEERING STATEMENT
PETITION FOR RECONSIDERATION OF
SEVENTH REPORT AND ORDER
MB DOCKET NO. 87-268
ON BEHALF OF
CORRIDOR TELEVISION, L.L.P.
KCWX-DT, FREDERICKSBURG, TEXAS
CHANNEL 8 15 KW ND ERP 413 METERS HAAT

SEPTEMBER 2007

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

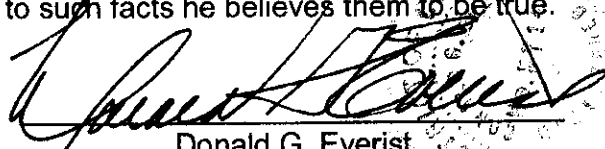
Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is President, Secretary and Treasurer of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That his qualifications are a matter of record in the Federal Communications Commission;

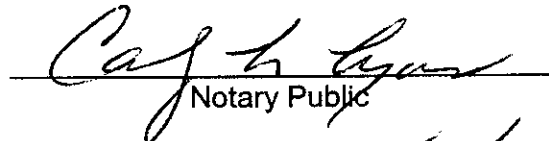
That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.



Donald G. Everist
District of Columbia
Professional Engineer
Registration No. 5714

Subscribed and sworn to before me this 28th day of September 2007.



Notary Public

My Commission Expires: 2/28/2008

COHEN, DIPPELL AND EVERIST, P. C.


City of Washington)
) ss
District of Columbia)

Ryan Felmlee, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer of the Pennsylvania State University, has successfully completed the Engineer-In-Training examination ("EIT") in the State of Virginia, and is a staff engineer of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

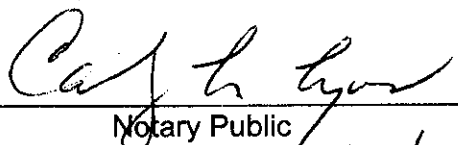
That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.



Ryan Felmlee
District of Columbia

Subscribed and sworn to before me this 28th day of September, 2007.



Notary Public

My Commission Expires: 2/28/2008



Introduction

This engineering statement has been prepared on behalf of Corridor Television L.L.P. ("Corridor"), licensee of television station KCWX(TV), Fredericksburg, Texas, in support of a petition for reconsideration of the *Seventh Report and Order* ("Seventh R & O"), MB Docket No. 87-268.

Corridor originally filed comments in the matter of *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service, Seventh Further Notice of Proposed Rule Making Proposed DTV Table of Allotments*, MB Docket No. 87-268 ("Seventh Further Notice") requesting a modification to the KCWX-DT post-transition DTV allotment as proposed by the Federal Communications Commission "Commission". In the Seventh R & O, the Commission declined Corridor's post-transition DTV allotment modification request and noted the impermissible interference caused by proposed KCWX-DT channel substitution. In this Petition for Reconsideration, Corridor has modified its parameters for the KCWX-DT post-transition allotment to meet the proposed 0.5% interference standard, and believes that the facilities requested herein will promote overall spectrum efficiency and ensure the best possible television off-the-air service to the public and the local community.

Technical Analysis

KCWX(TV) is licensed for analog operation on channel 2(+) with 100 kW non-directional ERP at 413 meters height above average terrain ("HAAT"). In the Seventh Further Notice, station KCWX(TV) was assigned post-transition operation on channel 5 with 10.2 kW directional ERP at 413 meters HAAT. However, it is well known within the industry that low-band VHF DTV

operation is susceptible to interference from other signals during certain times of the year. In addition, the reception of low-band VHF DTV is susceptible to impulse noise and therefore undesirable for post-transition DTV operation.

In paragraph 19 of the Sixth Further Notice of Proposed Rule Making, MB Docket No. 87-268, dated July 25, 1996, the Commission states:

"We observe that signals in the lower VHF spectrum are more susceptible to degradation due to man-made and atmospheric noise, while those in the upper UHF spectrum suffer greater propagation losses and are more susceptible to multipath and shadowing effects."

In paragraph 19 of the Order, the Commission even considered a revised spectrum under which all future digital TV service would be located which excluded the lower VHF band (channels 2-6).

In addition to the noise and reception issues in the lower VHF band, the UHF band also would not be suitable for post-transition operation of KCWX-DT. Much of the population currently served by KCWX(TV) is located in the outlying areas near the edge of its Grade B contour and service to these households may be jeopardized by propagation losses if KCWX-DT was to be assigned a post-transition channel in the UHF band.

Therefore, based on the interference concerns for the lower VHF band and the propagation characteristics in the UHF band, KCWX hereby requests a waiver to change its post-transition DTV allotment as specified in the Seventh R & O Final DTV Table of Allotments. KCWX requests post-transition DTV facilities of 15 kW non-directional ERP on channel 8 at 413 meters HAAT. The attached map (Exhibit E-1) displays the F(50,50) 36 dBu contour of the requested KCWX-DT

post-transition channel 8 facilities relative to the Grade B contour of the licensed KCWX(TV) channel 2 NTSC operation.

DTV Analysis

To further support that the requested KCWX-DT post-transition facilities will have minimal impact, an interference study (see Table I) has been performed which takes into consideration and includes the proposed KCWX-DT non-directional facilities and all station certifications as designated in the Seventh R & O. The Longley-Rice study of predicted interference caused by the proposed non-directional KCWX-DT channel 8 post-transition facilities requested herein has been performed using a version of the Longley-Rice program as described in OET Bulletin No. 69 (February 6, 2004) and the Public Notice, "Additional Application Processing Guidelines for Digital Television (DTV)" (August 1998). The FCC's FORTRAN-77 code was modified only to the extent necessary (primarily input/output handling) for the program to run on a Windows XP platform. Comparison of service/interference areas and populations indicates that this model closely matches the FCC's evaluation program. Best efforts have been made to use data and calculations identical to the FCC's program. Any slight differences are attributable to compiler, operating system and/or processor characteristics. The effect of any variance in calculated population values versus the FCC's program is minimized when differencing a given model's results, such as calculating new interference as total interference less baseline interference. Any variance effect is further reduced when using ratios of calculated population values such as measuring the incremental population affected as a percent of the total population served. The model employs the Longley-Rice propagation methodology and evaluates in grid cells of approximately 4 km² terrain data sampled

approximately every 1.0 km at one degree azimuth intervals with 2000 census centroids based on the information contained in the FCC engineering database released September 24, 2007 representing all post-transition DTV operations in Appendix B of the Seventh R & O.

Interference

The Longley-Rice study predicts the proposed channel 8 KCWX-DT facilities will cause approximately 0.44% interference to the post-transition channel 7 operation of KTBC-DT, Austin, Texas and approximately 0.35% interference to the post-transition channel 9 operation of KLRN-DT, San Antonio, Texas.

In the *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, the Commission proposed that a station may cause interference to 0.5% of the protected station's service population. The Commission has deemed that 0.5% interference would be deemed 0% for post-transition DTV operation. Therefore, the proposed post-transition operation of KCWX-DT on channel 8 would be considered to cause 0% interference to the post-transition operation of KLRN-DT and KTBC-DT.

Conclusion

Corridor notes that the Commission's Table II of 1998 Station NTSC and DTV Replication Information, released December 21, 2004, indicates the NTSC operation of KTBC(TV), channel 7 is predicted to serve approximately 1,798,356 persons based on 2000 Census data. However, the KTBC-DT post-transition allotment, as specified in the Seventh R& O, indicates the post-transition DTV operation of KTBC-DT will serve approximately 1, 835,000 persons. Therefore, the post-transition operation of KTBC-DT is predicted to serve approximately 2% more population than

its currently licensed analog facilities. Based on the predicted 0.35% interference by the proposed 15 kW channel 8 KCWX-DT post-transition facilities, the post-transition DTV allotment of KTBC-DT would still serve approximately 1.65% more population than the existing KTBC(TV) analog operation.

In regards to the predicted interference to the post-transition DTV allotment of channel 9, KLRN-DT, San Antonio, Texas, the proposed post-transition operation of KCWX-DT is predicted to cause less than the proposed 0.5% interference standard, and therefore should be deemed acceptable by the Commission as the 0.5% interference standard is supported by industry as noted in the Comments filed for the *Third Periodic Review, MB Docket No 07-91*.

Based on these conclusions, this analysis demonstrates that the proposed channel 8 post-transition operation of KCWX-DT based on the revised parameters would be in and serve public interest.

COHEN, DIPPELL AND EVERIST, P.C.

TABLE I
LONGLEY-RICE ANALYSIS
FOR THE POST-TRANSITION OPERATION OF
KCWX-DT, FREDERICKSBURG, TEXAS
CH 8 15 KW ND ERP 384 METERS HAAT
SEPTEMBER 2007

<u>Station</u>	<u>City</u>	<u>State</u>	<u>Channel</u>	<u>Distance</u> km	<u>Status</u>	<u>FCC File No.</u>	<u>Interference</u>
KTBC	AUSTIN	TX	7	80.8	Allot	Seventh R & O	0.44%
KIII	CORPUS CHRISTI	TX	8	292.5	Allot	Seventh R & O	Less than 0.1%
WFAA-TV	DALLAS	TX	8	313.1	Allot	Seventh R & O	Less than 0.1%
KUHT	HOUSTON	TX	8	306.8	Allot	Seventh R & O	Less than 0.1%
KGNS-TV	LAREDO	TX	8	292.5	Allot	Seventh R & O	Less than 0.1%
KLRN	SAN ANTONIO	TX	9	93.3	Allot	Seventh R & O	0.35%
KCEN-TV	TEMPLE	TX	9	183.2	Allot	Seventh R & O	No Interference

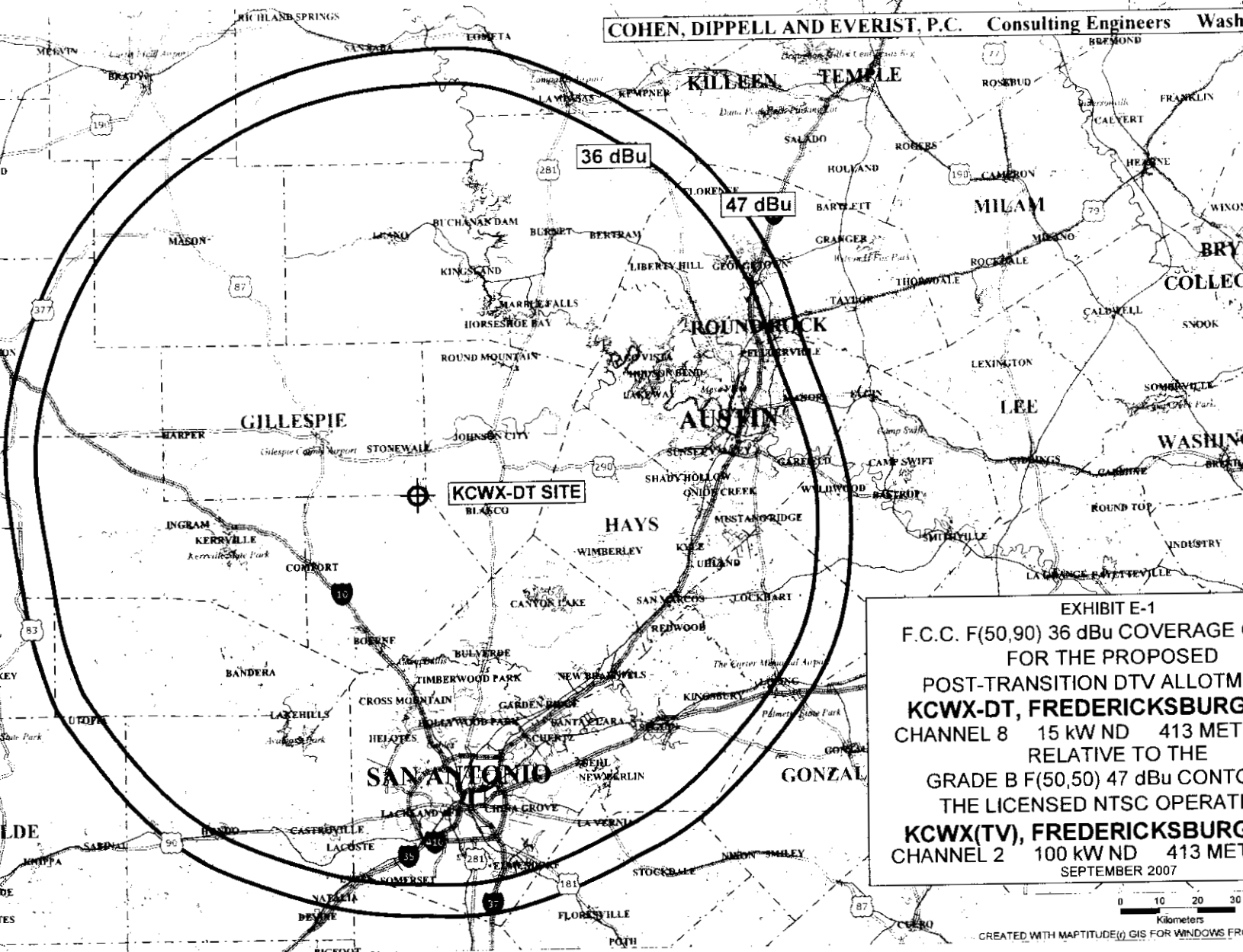


EXHIBIT 2

**Letter from Corridor to the FCC
Filed October 2, 2007**

James A. Stenger
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October 2, 2007

FILED/ACCEPTED
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Federal Communications Commission
Office of the Secretary

Marlene H. Dortch, Secretary
Federal Communications Commission
c/o Natek, Inc., Inc.
236 Massachusetts Avenue, N.E.
Suite 110
Washington, DC 20002

Attention: Division Chief, Video Division, Media Bureau

Re: **Request for Change of DTV TCD
of Corridor Television, LLP, Licensee of
Television Station KCWX, Fredericksburg, Texas
Facility ID 24316**

Dear Ms. Dortch:

On behalf of Corridor Television, LLP ("Corridor"), licensee of television broadcast station KCWX, Fredericksburg, Texas, Facility Id 24316, we respectfully request a change in the digital television ("DTV") tentative channel designation ("TCD") to DTV channel 8 with 15 kW non-directional ERP at 413 meters HAAT, as set forth in the attached Engineering Statement of Cohen, Dippel and Everist, P.C. ("the Engineering Statement").

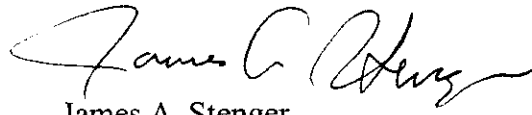
We refer to the *Seventh Report and Order and Eighth Further Notice of Proposed Rulemaking In the Matter of Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service*, MB Docket No. 87-268, FCC 07-138, 42 CR 1, released Aug. 6, 2007. In that Order the Commission denied a waiver request of Corridor to change its TCD to DTV channel 8 without restrictions. *Id.* at paras. 76 -78. Accordingly, Corridor submits this request to change its TCD to DTV channel 8 with 15 kW non-directional ERP at 413 meters HAAT, as set forth in the attached Engineering Statement. These facilities will result in the assignment of channel 8 causing no more than 0.5 percent interference to adjacent DTV channels 7 and 9. Corridor respectfully reserves the right to modify the proposed station facilities in accordance with such rules as the Commission may adopt for DTV distributed transmission systems.

Marlene H. Dortch, Secretary
October 2, 2007
Page 2

Corridor respectfully requests a waiver of the 0.1 percent interference standard on the grounds that the proposed facilities comply with the 0.5 percent standard proposed in the *Notice of Proposed Rulemaking In the Matter of the Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion To Digital Television*, MB Docket No. 07-91, FCC 07-70, released May 18, 2007. The 0.5 percent standard has received near universal industry support and will be adopted by the Commission. Corridor requests that action on the waiver request be deferred until the Commission issues its Order adopting the 0.5 percent standard. Corridor will submit a petition for reconsideration of *Seventh Report and Order* that will further explain the basis for the requested waiver.

Should additional information be necessary in connection with this matter, kindly communicate directly with the undersigned.

Respectfully submitted,



James A. Stenger

Encl.

DC #346352 v1

ENGINEERING STATEMENT
IN SUPPORT OF
REQUEST FOR CHANGE OF DTV TCD
ON BEHALF OF
CORRIDOR TELEVISION, L.L.P.
KCWX-DT, FREDERICKSBURG, TEXAS
CHANNEL 8 15 KW ND ERP 413 METERS HAAT

SEPTEMBER 2007

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.


City of Washington)
) ss
District of Columbia)

Ryan Felmlee, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer of the Pennsylvania State University, has successfully completed the Engineer-In-Training examination ("EIT") in the State of Virginia, and is a staff engineer of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

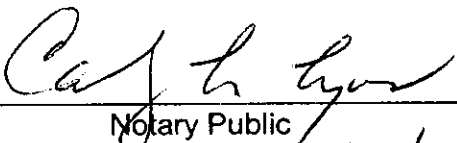
That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.



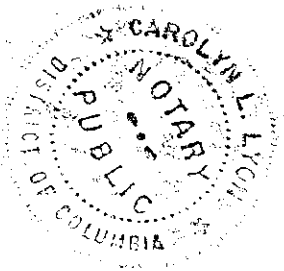
Ryan Felmlee
District of Columbia

Subscribed and sworn to before me this 28th day of September, 2007.



Notary Public

My Commission Expires: 2/28/2008



COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

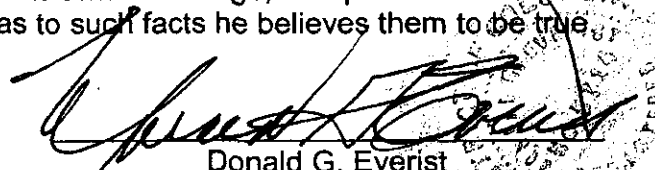
Donald G. Everist, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer, a Registered Professional Engineer in the District of Columbia, and is President, Secretary and Treasurer of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005;

That his qualifications are a matter of record in the Federal Communications Commission;

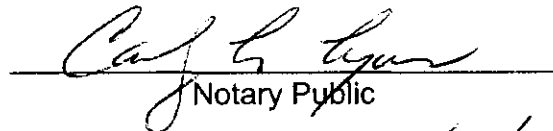
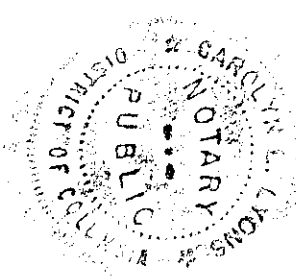
That the attached engineering report was prepared by him or under his supervision and direction and

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true



Donald G. Everist
District of Columbia
Professional Engineer
Registration No. 5714

Subscribed and sworn to before me this 28th day of September, 2007.



Notary Public

My Commission Expires: 2/28/2008

Introduction

This engineering statement has been prepared on behalf of Corridor Television L.L.P. ("Corridor"), licensee of television station KCWX(TV), Fredericksburg, Texas, in support of a request for change to its digital television ("DTV") tentative channel designation ("TCD") to DTV channel 8. Corridor is requesting a change to its TCD by specifying a proposed post-transition DTV allotment that satisfies the proposed 0.5% interference standard relative to all other post-transition DTV allotments specified in Appendix B of the *Seventh Report and Order* ("Seventh R&O"), MB Docket No. 87-268. In addition, Corridor believes that the facilities requested herein will promote overall spectrum efficiency and ensure the best possible television off-the-air service to the public and the local community.

Technical Analysis

KCWX(TV) is licensed for analog operation on channel 2(+) with 100 kW non-directional ERP at 413 meters height above average terrain ("HAAT"). In the Seventh R&O, station KCWX(TV) was assigned post-transition operation on channel 5 with 10.2 kW directional ERP at 413 meters HAAT. However, Corridor hereby requests post-transition DTV facilities of 15 kW non-directional ERP on channel 8 at 413 meters HAAT. The attached map (Exhibit E-1) displays the F(50,50) 36 dBu contour of the requested KCWX-DT post-transition channel 8 facilities relative to the Grade B contour of the licensed KCWX(TV) channel 2 NTSC operation.

DTV Analysis

To further support that the requested KCWX-DT post-transition facilities will have minimal impact, an interference study (see Table I) has been performed which takes into consideration and

includes the proposed KCWX-DT non-directional facilities and all station certifications as designated in the Seventh R&O. The Longley-Rice study of predicted interference caused by the proposed non-directional KCWX-DT channel 8 post-transition facilities requested herein has been performed using a version of the Longley-Rice program as described in OET Bulletin No. 69 (February 6, 2004) and the Public Notice, "Additional Application Processing Guidelines for Digital Television (DTV)" (August 1998). The FCC's FORTRAN-77 code was modified only to the extent necessary (primarily input/output handling) for the program to run on a Windows XP platform. Comparison of service/interference areas and populations indicates that this model closely matches the FCC's evaluation program. Best efforts have been made to use data and calculations identical to the FCC's program. Any slight differences are attributable to compiler, operating system and/or processor characteristics. The effect of any variance in calculated population values versus the FCC's program is minimized when differencing a given model's results, such as calculating new interference as total interference less baseline interference. Any variance effect is further reduced when using ratios of calculated population values such as measuring the incremental population affected as a percent of the total population served. The model employs the Longley-Rice propagation methodology and evaluates in grid cells of approximately 4 km² terrain data sampled approximately every 1.0 km at one degree azimuth intervals with 2000 census centroids based on the information contained in the FCC engineering database released September 24, 2007 representing all post-transition DTV operations in Appendix B of the Seventh R&O.

Interference

The Longley-Rice study predicts the proposed channel 8 KCWX-DT facilities will cause approximately 0.44% interference to the post-transition channel 7 operation of KTBC-DT, Austin, Texas and approximately 0.35% interference to the post-transition channel 9 operation of KLRN-DT, San Antonio, Texas.

Conclusion

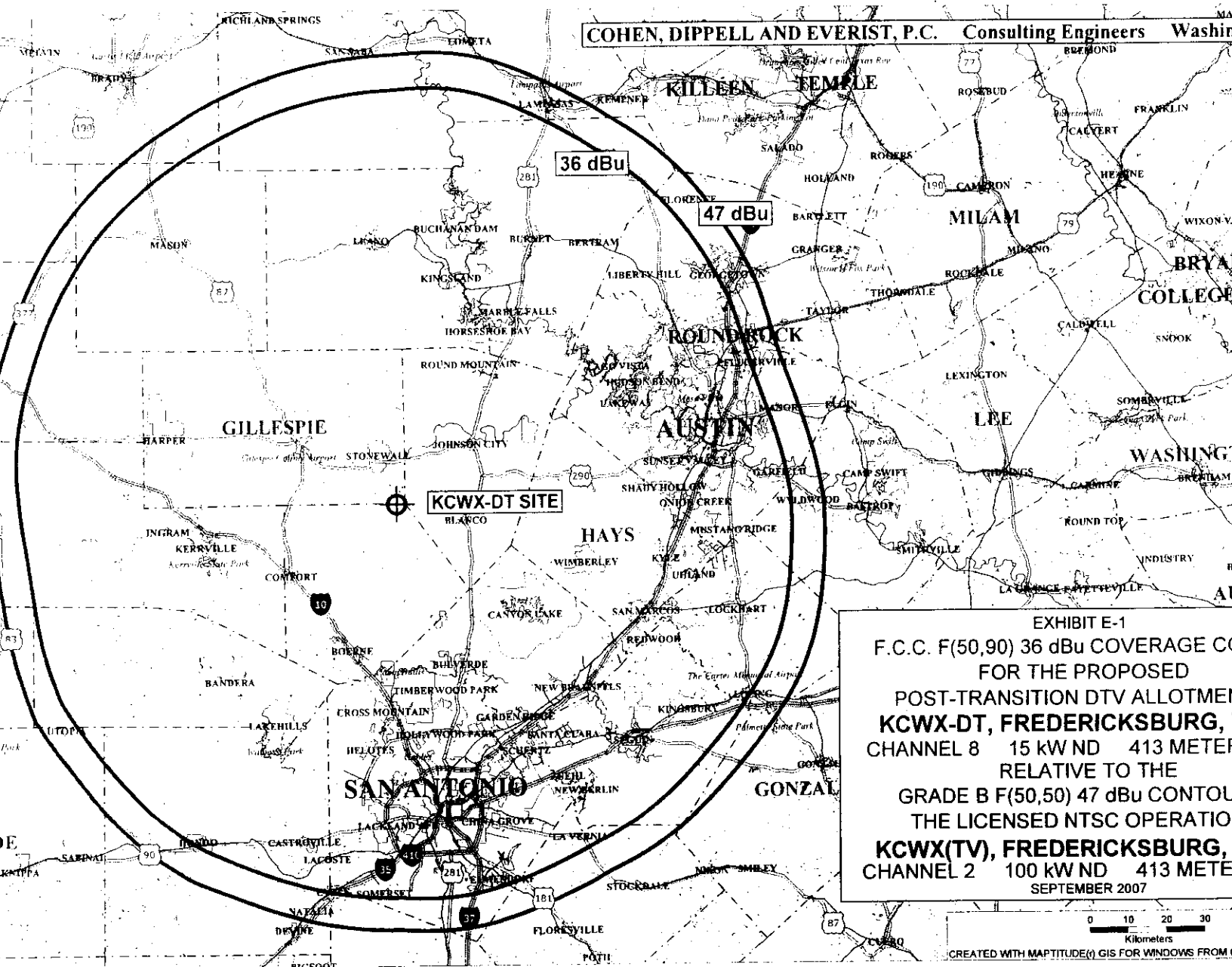
In the *Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, the Commission proposed that a station may cause interference to 0.5% of the protected station's service population. The Commission has deemed that 0.5% interference would be deemed 0% for post-transition DTV operation. Therefore, the proposed post-transition operation of KCWX-DT on channel 8 would be considered to cause 0% interference to the post-transition operation of KLRN-DT and KTBC-DT. Based on this analysis, Corridor believes the proposed channel 8 post-transition operation of KCWX-DT based on the requested parameters would satisfy the proposed 0.5% interference standard.

COHEN, DIPPELL AND EVERIST, P.C.

TABLE I
LONGLEY-RICE ANALYSIS
FOR THE POST-TRANSITION OPERATION OF
KCWX-DT, FREDERICKSBURG, TEXAS
CH 8 15 KW ND ERP 384 METERS HAAT
SEPTEMBER 2007

<u>Station</u>	<u>City</u>	<u>State</u>	<u>Channel</u>	<u>Distance</u> km	<u>Status</u>	<u>FCC File No.</u>	<u>Interference</u>
KTBC	AUSTIN	TX	7	80.8	Allot	Seventh R & O	0.44%
KIII	CORPUS CHRISTI	TX	8	292.5	Allot	Seventh R & O	Less than 0.1%
WFAA-TV	DALLAS	TX	8	313.1	Allot	Seventh R & O	Less than 0.1%
KUHT	HOUSTON	TX	8	306.8	Allot	Seventh R & O	Less than 0.1%
KGNS-TV	LAREDO	TX	8	292.5	Allot	Seventh R & O	Less than 0.1%
KLRN	SAN ANTONIO	TX	9	93.3	Allot	Seventh R & O	0.35%
KCEN-TV	TEMPLE	TX	9	183.2	Allot	Seventh R & O	No Interference

•



CERTIFICATE OF SERVICE


I, Roberta Muscarella, hereby certify that on October 5, 2007, I served a copy of the foregoing Petition for Reconsideration by first class mail, postage prepaid on the following:

Richard A. Helmick, Esq.
Cohn and Marks LLP
1920 N Street, N.W.
Suite 300
Washington, D.C. 20036-1622

Counsel to Channel 9, KLRN-DT

Molly Pauker, Esq.
Fox Television Stations, Inc.
5151 Wisconsin Avenue, N.W.
Washington, DC 20016

Licensee of Channel 7, KTBC-DT


Roberta Muscarella